

September 22, 2009

Public Hearing -

Specific Use Permit: Frisco Corners Addition, Block 1, Lot 16B (SUP09-0009)

Owner(s): Castle Montessori of Frisco LP.

DESCRIPTION:

A request for a Specific Use Permit for a Child Day Care on one lot on 2.4± acres on the east side of Legendary Drive, 620± feet south of Lebanon Road. Zoned Commercial-1. Neighborhood #30. RC

REMARKS:

The applicant is requesting a Specific Use Permit for a Child Day Care to be licensed for a maximum capacity of 250 children. Castle Montessori School currently operates in various locations within the DFW Metroplex. They offer full day childhood learning programs and educational curriculum studies to children ages 18 months to nine years old. The proposed day care facility will have a strict policy requiring parents to swipe ID cards for secure access to the building. They can then proceed to check in and out their children as required inside the building. A parking and queuing study conducted by the applicant showed a need for additional parking which has been provided. The study was reviewed and approved by the City's Traffic Engineer.

The Comprehensive Zoning Ordinance requires 65 square feet of outdoor play space for each child, totaling 16,250 square feet. This facility will provide 19,069 square feet.

Zoning and land use of the surrounding properties are as follows:

<u>Direction</u>	<u>Land Use</u>	<u>Zoning</u>	<u>Comprehensive Plan</u>
North	Retail	Commercial-1	Retail
East	Retail	Commercial-1	Retail
South	School	Commercial-1	Retail
West	Church	Planned Development-193-Office-1	Retail

The Zoning Ordinance lists four criteria in determining the appropriateness of the SUP Request. The following are the four criteria and staff's comments on each of the criteria:

1. Is the property harmonious and compatible with its surrounding existing uses or proposed uses?

Day cares are allowed in several residential and non-residential zoning districts with the approval of a Specific Use Permit. The Comprehensive Plan recommends that:

- Day care centers should be located along major and minor thoroughfares, or as part of a mixed use development located on a collector street or higher.

The proposed day care is located in a retail center and has access from Legendary Road, a collector street. The building can also be accessed by Lebanon Road, a major thoroughfare to the north.

- Day care centers should have direct access from a median opening.

The day care will have access to a median opening at Lebanon Road by way of a fire lane access easement to the northeast within the retail center.

- The architectural character of day care centers should be compatible with surrounding residential uses (other surrounding uses also noted).

The building will be a one-story brick and stone structure with pitched roofs. The building will be harmonious to other surrounding retail uses and is compatible in architecture character to other retail buildings.

- Parking areas should be screened with landscaping or berms.

The applicant is providing the required landscaping as specified by Ordinance. This includes having a 15 foot landscape edge with appropriate tree spacing.

- Day care centers should not be located at residential subdivision entrances.

The day care is not located at a residential subdivision entrance.

2. Are the activities requested by the applicant normally associated with the requested use?

The facility directs its business to children and their educational development. All the activities requested are normally associated with a day care.

3. Is the nature of the use reasonable?

The development of a day care center at this location is reasonable based on traffic circulation and the use is compatible with the surrounding uses.

4. Has any impact on the surrounding area been mitigated?

This use does not create any negative impacts on the surrounding properties.

SUMMARY:

In staff's opinion the request meets the four criteria for approval of the Specific Use Permit.

RECOMMENDATION:

Recommended for approval subject to a maximum of 250 children.